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Both Pro Se, and as Attorneys for Defendants Van Leer & Greenberg, Esqs., Howard Barry Greenberg, Individually and As Agent, and Maria Yolanda Lopez-Reyes

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

EMILE HERIVEAUX,

Plaintiff,

v.

**MARIA YOLANDA LOPEZ-REYES, VAN
LEER & GREENBERG, ESQS., EVAN
DANA VAN LEER-GREENBERG, individually
and as agent of VAN LEER & GREENBERG,
ESQS, and HOWARD BARRY GREENBERG,
Individually and as agent of VAN LEER &
GREENBERG,**

Defendants.

Civil Action No. 17-CV-9610

**CERTIFICATION OF EVAN
VAN LEER-GREENBERG IN
OPPOSITION TO THE
PLAINTIFF'S MOTION
FOR A PRELIMINARY
INJUNCTION**

**Hon. District Judge
Alison J. Nathan, U.S.D.J.**

EVAN VAN LEER-GREENBERG, of full age, hereby declares as follows:

1. I am an attorney at law admitted to practice law in the State of New York, associated with VAN LEER & GREENBERG, ESQS.
2. I am a named Defendant in the within action, and I am the attorney for the remaining Defendants in this action. As such, I have personal knowledge of the facts set forth herein.
3. This Declaration is submitted in opposition to the Plaintiff's Motion for a Preliminary Injunction and related relief.
4. Attached hereto are the following Exhibits:

- a. Exhibit “A” is a true and correct copy of an Order of the Supreme Court of the State of New York dated November 14, 2016, entered November 21, 2016;
- b. Exhibit “B” is a true and correct copy of the Court Calendar in the action entitled *Maria Yolanda Lopez Reyes v. Emile Heriveaux, et. al.*,” bearing index number 101452/2013, calendar printed January 17, 2017;
- c. Exhibit “C” is a true and correct copy of Notice of Motion filed by Emile Heriveaux in the Appellate Division, First Department, in an action entitled *Maria Yolanda Lopez Reyes v. Emile Heriveaux, et. al.*,” bearing index number 101452/2013, dated January 13, 2017;
- d. Exhibit “D” is a true and correct copy of a Summary Statement on Application for Expedited Service and/or Interim Relief issued by the Appellate Division, First Department, in an action entitled *Maria Yolanda Lopez Reyes v. Emile Heriveaux, et. al.*,” bearing index number 101452/2013, dated January 13, 2017;
- e. Exhibit “E” is a true and correct copy of an Order to Show Cause filed by Emile Heriveaux in the Supreme Court of the State of New York, in an action entitled *Maria Yolanda Lopez Reyes v. Emile Heriveaux, et. al.*,” bearing index number 101452/2013, which the Court declined to sign on January 4, 2017;

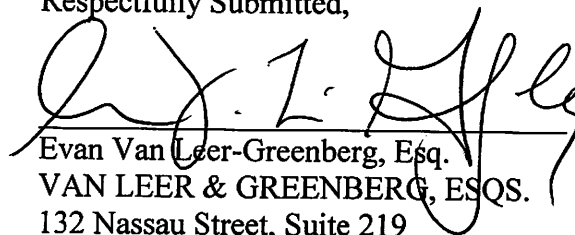
- f. Exhibit “F” is a true and correct copy of the Order portion of a Transcript of Proceedings of an Inquest held before the Supreme Court of the State of New York, the Hon. Martin Schoenfeld, J.S.C., on January 17, 2017;
- g. Exhibit “G” is a true and correct copy of a Clerk’s Judgment of the Supreme Court of the State of New York entered February 2, 2017;
- h. Exhibit “H” is a true and correct copy of Decision and Order with Notice of Entry dated June 16, 2017, an Order of the Supreme Court of the State of New York dated June 13, 2017, entered June 15, 2017, and an affidavit of service by mail on Emile Heriveaux;
- i. Exhibit “I” is a true and correct copy of Decision and Order with Notice of Entry dated November 27, 2017, an Order of the Supreme Court of the State of New York dated November 21, 2017, entered November 22, 2017, and an affidavit of service by mail on Emile Heriveaux;
- j. Exhibit “J” is a true and correct copy of an Order of the Superior Court of the State of New Jersey, County of Mercer, in an action entitled, *Maria Yolanda Lopez Reyes v. Emile Heriveaux*, bearing docket no. DJ-104248-17, dated August 18, 2017; and

5. There are no unpublished cases referenced in the Memorandum of Law in Opposition to the Plaintiff’s Motion for a Preliminary Injunction.

6. I hereby declare under penalty of perjury that the foregoing statements made by me are true and correct.

Dated this 3 day of January, 2018.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Evan Van Leer-Greenberg", is written over a horizontal line.

Evan Van Leer-Greenberg, Esq.

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